

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JANET MONGE

Plaintiff,

vs.

UNIVERSITY OF PENNSYLVANIA, et al.

Defendant

Civil Action No.: 2:22-cv-02942-HB

ORDER

AND NOW, this _____ day of _____, 2022, upon consideration of the Motion to Dismiss First Amended Complaint filed by Defendant The Society of Black Archaeologists, and any response(s) thereto, it is hereby ORDERED and DECREED that said Preliminary Objections are SUSTAINED.

- (a) Plaintiff's First Amended Complaint is Dismissed With Prejudice as to Defendant, The Society of Black Archeologists for lack of personal jurisdiction.

IT IS FURTHER ORDERED IN THE ALTERNATIVE that;

- (a) Count I (Defamation) of Plaintiff's Amended Complaint is dismissed with prejudice against Defendant, The Society of Black Archeologists, and;
- (b) Count II (Defamation by Implication) of Plaintiff's Amended Complaint is dismissed with prejudice against Defendant, The Society of Black Archeologists, and;

- (c) Count III (False Light) of Plaintiff's Amended Complaint is dismissed with prejudice against Defendant, The Society of Black Archeologists, and;
- (d) Count IV (Civil Aiding and Abetting) of Plaintiff's Amended Complaint is dismissed with prejudice against Defendant, The Society of Black Archeologists, and;
- (e) All allegations of recklessness, including but not limited to those in paragraphs 185, 202, 214, and 221, and all corresponding claims for punitive damages contained in Plaintiff's Amended Complaint are hereby stricken with prejudice.

BY THE COURT:

J.

**UNITED STATES DISTRICT COURT
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Plaintiff,

vs.

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Defendant

Civil Action No.: 2:22-cv-02942-HB

**MOTION TO DISMISS PLAINTIFF’S FIRST AMENDED COMPLAINT
AS TO THE SOCIETY OF BLACK ARCHAEOLOGISTS**

Defendant, The Society of Black Archaeologists (hereinafter “The Society of Black Archaeologists “ or the “Society”), by and through their attorneys, Salmon Ricchezza Singer & Turchi, LLP, hereby submits this Motion to Dismiss Plaintiff’s First Amended Complaint Pursuant to Rule 12(b)(2). In the alternative, The Society moves for dismissal under Rule 12(b)(6). The Society relies on the accompanying Memorandum of Law in Support of it Motion to Dismiss Plaintiff’s Amended Complaint.

As set forth in the Memorandum of Law, Plaintiff has failed to properly plead that this Court has jurisdiction over the Society. Moreover, Plaintiff has failed to state a claim as to the Society for her claims for defamation, defamation by implication, false light, civil aiding and abetting or for her demand for punitive damages.

Accordingly, for all of the reasons set forth in the accompanying Memorandum of Law, Defendant, The Society of Black Archaeologists respectfully requests that this Court dismiss Plaintiff’s Amended Complaint for lack of jurisdiction, or in the alternative, for failure to state a claim.

Respectfully Submitted,

SALMON RICCHEZZA SINGER & TURCHI LLP

/s/ Michele Weckerly

By: _____
Joseph L. Turchi, Esq.
Michele L. Weckerly, Esquire
Attorneys for Defendant,
The Society of Black Archaeologists

Dated: 8/12/22

CERTIFICATE OF SERVICE

Undersigned Counsel for Defendant, The Society of Black Archaeologists hereby certifies that the foregoing Motion to Dismiss, was served upon counsel via electronic filing.

By: */s/ Michele Weckerly*
Michele L. Weckerly, Esquire

Dated: August 12, 2022

CERTIFICATE OF COMPLIANCE

Undersigned Counsel for Defendant, The Society of Black Archaeologists hereby certifies that foregoing Motion to Dismiss complies with Local Rule 5.1.3 regarding personal identification information.

By: */s/ Michele Weckerly*
Michele L. Weckerly, Esquire

Dated: August 12, 2022